<b>/★</b> .	
PETITION FOR ZO	ONING VARIANCE 82-125-14
TO THE ZONING COMMISSIONER OF BALTIMO	$\omega_{\mathcal{F}}$
described in the description and plat attached he	perty situate in Saltimore County and which is reto and made a part hereof, hereby petition for a
Variance from Section 400.1 to allow acc	essory structures in frontand side yard
rather than required rear yard	
following reasons: (indicate narosnip or practical	eanitary sewer and utility easement ent area in rear yard. Strict quirement would urreasonably
	· · · · · · · · · · · · · · · · · · ·
Property is to be posted and advertised a	as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above Va petition, and further agree to and are to be bou Baltimore County adopted pursuant to the Zonin	nriance advertising, posting, etc., upon filing of this nd by the zoning regulations and restrictions of Law For Baltimore County.
	I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.
Contract Purchaser:	Legal Owner(s):
	Richard F. Mulligan  (Type or Print Name)
(Type or Print Name)	Level T. Unless
Signature	Signature
ddress	(Type or Print Name)
Attorney for Patitioner:	Signature
John B. Howard	1301 West Seminary Avenue - 296-1563
(Type or Print Name)	Address Phone No.
of 15thms.	Lutherville, Maryland 21093 \City and State
210 Allegheny Avenue	Name, address and phone number of legal owner, contract purchaser or representative to be contacted  John B. Howard
Towson, Maryland 21204	Name
Attorney's Telephone No.: 823-4111	210 Allegheny Avenue 823-4111
ORDERED By The Zoning Commissioner	Address Towson, Maryland 21204 of Baltimore County, this day
required by the Zoning Law of Baltimore County that property be posted.	the subject matter of this petition be advertised, as ity, in two newspapers of general circulation throughand that the public hearing be had before the Zoning 106, County Office Building in Towson, Baltimore
County, on the day of	
AM.	
	do con
•	Zoning Commissioner of Baltimore County.
	(over)

BEFORE THE ZONING COMMISSIONER RE: PETITION FOR VARIANCE S/S of Seminary Ave., 550' ON PALTIMORE COUNTY W of Tally Ho Rd., 8th District RICHARD F. MULLIGAN, Petitioner: Case No. 82-125-A ::::::: ORDER TO ENTER APPEARANCE Mr. Commissioner:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, ! here, enter my appearance in this proceeding. You are requested to notify me of any hearing date or Jates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

John W. Hessian, III
People's Counsel for Baltimore County Peter Max Zimmerman Deputy People's Counsel Rm. 223, Court House Towson, Maryland 21204 494-2188

I HEREBY CERTIFY that on this 2nd day of November, 1981, a copy of the foregoing Order was mailed to John B. Howard, Esquire, 210 Allegheny Avenue, Towson, Maryland 21204, Attorney for Petitioner.

John W. Hessian, III

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. W. E. Hammond Zoning Commissioner Norman E. Gerber, Director FROM Office of Planning and Zoning

Petition No. 82-125-A Item 66

Petitioner - Richard F. Mulligan

October 27, 1981

Petition for Variance South side of Seminary Avenue, 550 ft West of Tally Ho Road

Eighth District

HEARING: Thursday, November 19, 1981 (9:45 A.M.)

There are no comprehensive planning factors requiring comment on this

Office of Planning and Zoning

VICINITY MAP

SCALE 11"+ 2000"

NEG:JGH:ab

Bichard Mulligan 1301 West Seminary Avenue Latherville, Maryland 21093

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Luilding 111 W. Chesapeake Avenue Towson, Maryland 21204

Your Petition has been received and accepted for filing this \_\_\_\_\_\_ 17th

VILLIAM E. HAMMOND Zoning Commissioner

Petitioner Richard Mulligan

Petitioner's Attorney

Reviewed by: Lichoto f. Commodari Chairman, Zoning Plans

Advisory Committee

COUNTY OFFICE BLDG. 111 W. Chesapeake Ave. Towson, Maryland 21204

Bureau of Department of Traffic Engineering

Health Department Project Planning Building Department Board of Education Industrial Development

Mr. Richard Mulligan

RE: Item No. 66

Dear Mr. Mulligan:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of

Enclosed are all comments submitted to this office from the committee members at this time. The remaining members felt that no comment was warranted. This petition was accepted for filing on the date of the enclosed certificate and a hearing scheduled accordingly.

Witholas B Commodari

NICHOLAS B. COMMODARI

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

November 10, 1981

1301 West Seminary Avenue Lutherville, Maryland 21093

> Petitioner - Richard F. Mulligan Variance Petition

the requested zoning.

A COLOR OF THE PROPERTY OF THE

Very truly yours,

Zoning Plans Advisory Committee

CL:GW:maw cc: Mr. J. Wimbley

My telephone number is (301) 659-1350

P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203

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1 5:40 0107 N 5:40 5:40 5:7 57 E 15:00

LUARY BIDGE

SING BUILDS

September 30, 1981

Mr. William E. Hammond Zoning Commissioner Baltimore County Towson, Maryland 21204

State Highway Administration

Attention: Mr. N. Commodari

BALTIMORE COUNTY

**ZONING PLANS** 

ADVISORY COMMITTEE

PETITION AND SITE PLAN

COMMENTS

EVALUATION

Maryland Department of Transportation

Re: Z.A.C. Meeting of 9/29/81 ITEM: #66. Property Owner: Richard F. Mulligan Location: S/S Seminary Ave. Route 131, 550' W. of Tally-Ho Road Existing Zoning: D.R. 2

Proposed Zoning: Variance to allow an accessory structure in the front yard in lieu of the required rear yard.
Acres: 2.088 District: 8th

James J. O'Donnell Secretar,

M. S. Caltrider Administrator

Dear Mr. Hammond:

On review of the site plan of July 14, 1981 and field inspection, the State Highway Administration request the plan be revised.

The revised plan should show a proposed 80' R/W, 40' from the centerline of Seminary Avenue.

It is requested that the plan be revised prior to a hearing date.

Very truly yours,

Charles Lee, Chief Bureau of Engineering Access Permits

Hoye Willing

By: George Wittman

FRITZ FOR A TRUTH

TEACH IS SELECT TO BE ALTER TO The state of the s

STATE ROADS COMVISSION

Thon #46

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Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would / WORNEY NOW result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested with will not adversely affect the health, safety, and general welfare of the community, the variance(s) should ANOUNE MAN be granted.

The second contract of the second contract of

Therefore, If IS ORDERED by the Zoning Commissioner of Paltimore Cou. v, th.s. day of November , 19 81 , that the herein fetition for Variance(s) to permit accessory structures in the front and side yardsin lieu of the required rear yard, in accordance with the site plan prepared by McKee, DuVal & Associates, Inc., dated July 14, 1981, should be and the same is GRANTED, from and after the date of Order, subject, however, to the approval of the aforementioned site plan by the Partment of Public Works and the Office of Planning and Zoning.

Baltimore County

department of traffic engineering **FOWSON, MARYLAND 21204** 

STEPHEN E. COLLINS

October 20, 1981

Mr. William Hammond Zoning Commissioner County Office Building Towson, Maryland 21204

Re: ZAC Meeting of September 29, 1981

Dear Mr. Hammond:

The Department of Traffic Engineering has no comment for items number 63, 65 and [66]

Traffic Engineering Associate II

MSF/rlj

TOWSON, MARYLAND 21204 DONALD J. ROOP, M.D., M.P.H. DEPUTY STATE & COUNTY HEALTH OFFICER

October 15, 1981

Mr. William E. Hammond, Zoning Commissioner Office of Planning and Zoning County Office Building Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item 66, Zoning Advisory Committee Meeting of September 29, 1981, are as follows:

> Property Owner: Richard F. Mulligan Location: S/S Seminary Avenue 550° W. of Tall -- Ho Road Existing Zoning: D.R. 2 Proposed Zoning: Variance to allow an accessory structure in the front yard in lieu of the required rear yard. Acres: 2.088

District: 8th The dwering is presently served by public sewer and a drilled well located in an underground pit adjace t to the dwelling. At the time of

inspection, water was observed in the pit, creating a potential hazard to the water supply should the surface water gain access to the well.

To eliminate this hazard, a sump pump should be installed in the well pit immediately.

The proposed location of the pool and bathhouse will not interfere with the location of the well.

Very truly yours,

BUREAU OF ENVIRONMENTAL SERVICES

BALTIMORE COUNTY TOWSON, MARYLAND 21204

ORDER RECEIVED FOR FILING

October 9, 1981

Mr. William Hammond **Toning Commissioner** Office of Planning and Zoning Baltimore County Office Building Towson, Maryland 21204

Attention: Nick Commodari, Chairman Zoning Plans Advisory Committee

RE: Property Owner: Richard F. Mulligan

Location: S/S Seminary Avenue 550' W. of Tally-Ho Road

Zoning Agenda: Meeting of September 2), 1981 Item No.: 66

Gentlemen:

JK/mb/cm

PAUL H. REINCKE CHIEF

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- ( ) 1. Fire hydrants for the referenced property are required and shall be located at intervals or \_\_\_\_\_feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- ( ) 2. A second means of vehicle access is required for the site.
- ( ) 3. The vehicle dead end condition shown at \_\_\_ EXCEEDS the maximum allowed by the Fire Department.
- ( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- ( ) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.
- ( ) 6. Site plans are approved, as drawn.

REVIEWER: Project July 19/3/8/ Approved:

Planning Group

Special Towns

and specifically the second of the second of

Special Inspection Division

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Towson, Maryland - 21204

Date: 9/23/81

Mr. William E. Hammond Zoning Commissioner Baltimore County Office Building 1111 West Chesapeake Avenue Towson, Maryland 21204

Z.A.C. Meeting of: 9/29/81

RE: Item No: 63, 64, 65, 66 Property Owner: Location: Present Zoning: Proposed Zoning:

> District: No. Acres:

Dear Mr. Hammond:

No bearing on student population.

Wm. Nick Petrovich, Assistant

Department of Planning

THOMAS W. EARLY FRANK A. LAFALCE, JR. C. CAREY DEELEY, JR.

DANIEL O C TRACY, JR. JUHN H. ZINK, III JOSEPH C. WICH, JR. HENRY B. PECK, JR. HERBERT R. O'CONOR, III THOMAS L. HUDSON

BHS/mgt

LAW OFFICES COOK, HOWARD. DOWNES & TRACY A PROFESSIONAL ASSOCIATION P. O. BOX 5517

JAMES D.C. DOWNES TOWSON, MARYLAND 21204 (1906-1979) 823-4111 September 17, 1981 AREA CODE 301

William E. Hammond, Zoning Commissioner Baltimore County Office of Planning and Zoning County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

> Re: Petition for Variance Item No. 63 Petitioner - Richard F. Mulligan

Dear Mr. Hammond:

On September 16, 1981, a Variance Petition was submitted on behalf of Richard F. Mulligan in order to allow accessory structures to be located in the front yard rather than the rear yard location. The accessory structures in this case are a swimming pool and bathhouse, and it would be very helpful to the petitioner if the work could be underway before the weather turns too cold.

Due to the routine nature of this variance request, it would be most appreciated if this Petition could be expedited in some manner in order that the work may begin promptly.

Thank you for your kind attention to this matter. Please do not hesitate to call if you have any questions.

Very truly yours,

Frank A. Lafalce, Jp. SFP ? 2 '81 MM

FAL:ecd cc: Mr. Richard F. Mulligan



# BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Standard Comments

Nick Commodari

October 29, 1981

Charles E. (Ted) Burnham FROM Zoning Advisory Committee Meeting of September 29, 1981

ITEM NO. 66

ITEM NO. 58 Revised ITEM NO. 63

See Comments ITEM NO. 64 See Comments

ITEM NO. 65 See Comments

Charles E. Burnham Plans Review Chief

CEB:rrj

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

November 4, 1981

Mr. William E. Hammond Zoning Commissioner County Office Building Towson, Maryland 21204

HARTY DOSHER E

Re: Item #66 (1981-1982) Property Owner: Richard . Mulligan S/S Seminary Avenue 550' W. of Tally-Ho Road Acres: 2.088 District: 8th

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

This property comprises parts of a tract of land shown as Parcel 56, Tax Map 60, (Parcels 1, 2 and 3, John L. and Polly T. Brownell, 5298-300). Subdivision and resubdivision of property within Baltimore County is subject

to Baltimore County Subdivision Regulations. Highways:

Seminary Avenue (Md. 131) is a State Road; therefore, all improvements, intersections, entrances and drainage requirements as they affect the road come under the jurisdiction of the Maryland State Highway Administration. Any utility construction within the State to ad right-of-way will be subject to the standards, specifications and approval of the State in addition to those of Baltimore County.

Seminary Avenue is proposed to be further improved in the future, and become a County road, with a 50-foot closed section roadway.

Sediment Control:

and the contract of the contra

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

WNP/bp

liem #66 (1981-1982) Property Owner: Bichard F. Mulligan November 4, 1981

### Storm Drains:

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

### Water and Sanitary Sewer:

There is a public 12-inch water main in Seminary Avenue, approximately 80 feet west of Tally-Ho Road (Drawing #67-0163, File 3).

This property is connected to public sanitary sewerage via Manhole 46777, see Drawing #75-0364, File 3.

This property is within the Baltimore County Metropolitan District and the Urban-Rural Demarcation Line. Baltimore County Water and Sewerage Plans W and S-16B, as amended, indicate respectively, "Existing Service" in the area.

## RED EAM: FWR: SS

cc: Jack Wimbley George Wittman Robert Powell

S-SE Key Sheet 46 & 47 NW 8 & 9 Pos. Sheets NW 12 B & C Topo 60 Tax Map

OFFICE OF PLANNING AND ZONING TOWSON, MARYLAND 21204

October 27, 1981

Mr. William Hammond, Zoning Commissioner Zoning Advisory Committee Office of Planning and Zoning Baltimore County Office Building Towson, Maryland 21204

#### Dear Mr. Hammond:

DIRECTOR

Comments on Item #66, Zoning Advisory Committee Meeting, September 29, 1981, are as follows:

Property Owner: Richard F. Mulligan Location: S/S Seminary Avenue 550' W. of Tally-Ho Road Acres: 2.038 District: 8th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

This petition meets the requirements of the Division of Current Planning and Development.

John L. Wimbley Planner III Current Planning and Development

JLW:rh

November 12, 1981

WILLIAM E. HAMMOND ZONING COMMISSIONER

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONIN
TOWSON, MARYLAND 21204

OFFICE OF PLANNING & ZONING

John B. Howard, Esquire 210 Allegheny Avenue Towson, Maryland 21204

Petition For Variance S/s Seminary Ave., 550' W of Tally Ho Rd. Richard F. Mulligan, - Petitioner Case #32-125-A

Dear Mr. Howard:

**\$55. 25** is due for advertising and This is to advise you that posting of the above property.

Please make check payable to Baltimore County, Maryland, and remit to Karen Riegel, Room 113, County Office Building, Towson, Maryland 21204 before the hearing.

Zoning Commissioner

WEH:klr

I TITION FOR VARIANCE



8th DISTRICT

Petition for Variance ZONING:

South side of Seminary Avenue, 550 ft West of Tally Ho Road LOCATION:

Thursday, November 19, 1981 at 9:45 A.M. DATE & TIME:

Room 106, County Office Building, 111 W. Chesapeake Ave., PUBLIC HEARING:

Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Boltimore County, will hold a public hearing

> Petition for Variance to allow accessory structures in front and side yard rather than required rear yard

The Zoning Regulation to be excepted as follows:

Section 400.1 - Location of Accessory Structures

All that parcel of land in the Eighth District of Baltimore County

Beir the property of Richard F. Mulligan, as shown on plat plan filed with the Zoning Department

Hearing Date: Thursday, November 19, 1981, at 9:45 A.M. Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Ave., Towson, Maryland

BY ORDER OF WILLIAM E. HAMMOND ZONING COMMISSIONER OF BALTIMORE COUNTY

WOLLAM F HAMMOND ZONING COMMISSIONER

November 19, 1981

John B. Howard, Esquire 210 Allegheny Avenue Towson, Maryland 21204

> RE: Petition for Variance S/S of Seminary Ave., 550' W of Tally Ho Rd. - 8 th Election District Richard F. Mulligan - Petitioner NO. 82-125-A (Item No. 66)

Dear Mr. Howard:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,

MCKEE, DUVAL & ASSOCIATES, INC.

Engineering - Surveying - Real Estate Development

Telephone: (301) 252 5820

August 18, 1981

Beginning for the same at a point on the South side of

Seminary Avenue said point being located 550 feet in a Westerly

direction from the intersection of Seminary Avenue and Tally Ho

Road and running the following 10 courses and distances, as now

27° 57" East 15.80 feet; thence South 44° 09° 50" West 143.45

feet; thence South 43° 50' 53" East 157.39 feet; thence South

surveyed: South 46° 09° 07" West 1122.50 feet; thence South 84°

85° 13° 37" West 257.63 feet; thence North 88° 07° 25" West 120.33

Being known as the improvements at 1301 W. Seminary Avenue.

feet; thence North 05° 32° 03" East 268.33 feet; thence South 84°

27' 57" East 312.03 feet; thence North 46° 09' 07" East 1124.29

feet; thence South 79° 09° 53" East 14.71 feet to the place of

beginning. Containing 2.088 acres of land, more or less.

LUTHERVILLE, MARYLAND 21093

Deputy Zoning Commissioner

JMHJ/mc

Attachments

cc: Mr. William Hunt 4 Valley Wood Court Timonium, Maryland 21093

> John W. Hessian, III, Esquire People's Counsel

> > 1717 YORK RD.

8th ELECTION DISTRICT

BALTIMORE COUNTY, MARYLAND

DESCRIPTION OF 2 ACRES OF LAND, MORE OR LESS

John B. Howard, Esquire 210 Allegheny Avenue Towson, MD 21204

October 17, 1981

NOTICE OF HEARING

Petition for Variance S/s Seminary Ave., 550' W of Tally Ho Rd. Richard F. Muiligan - Petitioner Case #82-125-A Rem #66

'IME:	<u> </u>
A CORD A	Thursday, November 19, 1981

TOWSON, MARYLAND

PLACE: ROOM 106 COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE,

BALTIMORE COUNTY

Mr. William E. Hammond Zoning Commissioner Room 109, County Office Building Towson, Maryland 21204

> RE: Case No. 36570 . Building Permit Application No. 82 - 125-A The Election District

Dear Mr. Hammond:

We, the undersigned, being the owner of the above mentioned property and the applicant for the above referenced building permit, do hereby acknowledge that we are fully aware of your Order being subject to a thirty (30) day appeal period, but wish to go ahead with the construction of improvements on the property prior to the expiration of said appeal period.

We hereby relieve our builder. Baltimore County Maryland and you from any liability or responsibility in this matter and agree to assume any and all financial responsibility for any consequences which might arise during the appeal period if an appeal is filed after construction has begun.



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FFITT-ON YOR VARIANCE  ADDITION OF A DESTRUCT CONTROL PROPERTY OF THE CONTROL	NC EXIS	OTETS STING ZONING OF PROPERTY DR-Z TITION FOR A VARIANCE FROM SECTION 400.1 OF THE BALTIMORE JULY ZONING REGULATIONS TO ALLOW ACCESSORY STRUCTURES IN FRONT YARD IN LIEU OF THE REGUIRED REAR YARD LOCATION.  EXISTING ZONING DR-Z	GRENSPRING  VALLEY ROAD  VICINITY MAP  SCALE 1" 2000"
Petition for Variance SITH DISTRICTS AUXING. Petition for Variance Sith Districts for Victor of Tally No Boad of Seminary Avenue and St. Aven Town 19, 1881 at St. A. A. M. St. A. M. M. St. A. M. M. St. A. M. M. St. A. M. M. St. A. M. M. St. A. M. M. St. A.	DWELLIAM  DWELLI	PLAT & SEMILLARY PIDCE  32/21  EXISTING PAVING (12 W)	379°09 53 E 1471 1128 SO: 100 B. Ray
Senting years and Tally to Road and running and distance of the Road and Road a	MCHEE, DUVAL & ASSOCIATES, INC.  CIVIL ENGINEERS & LAND SURVEYORS 1717 YORK ROAD LAN LEA BUILDING LUTHERVILLE, MARYLAND SIGNS	1301 8TH ELEC SCALE-17	ED MEFEMENCE: 5490/796
CERTIFICATE OF POSTING  ZONING DEPARTMENT OF BALTIME/RE COUNTY  Towson, Maryland  Date of Posting 10-30-91  Posted for:	county Of 111 W. Cl Towson, I Your Petition has been received this	FICE OF PLANNING & ZONING  Office Building Chesapeake Avenue Maryland 21204 day of	Ker seems

PETITION	M	APPII	NG	PRC	GRE	SS	SHEE	T		
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BALTIMORE COU	NTY OFFICE OF PLANNING	& ZONING
	County Office Building 111 W. Chesapeake Avenue Fowson, Maryland 21204	
Your Petition has been receive	ed this day of	, 19 .*
Filing Fee \$	Received:	Check
(65)		Cash Other
Petitioner Rudial F. H.	William E. Hamn	nond, Zoning Commissioner
Petitioner's Attorney	Howa Reviewed by	Two s
	eted as acceptance of the Peti	